# 3.0 ERRATA TO DRAFT EIR TEXT (revised May 12, 2003)

Changes to the EIR are noted below. Additions to the text are indicated with shading. Deletions to the text are indicated with stricken text. Changes have been analyzed and responded to in Section 2.0, Responses to Comments. The changes to the EIR do not affect the overall conclusions of the environmental document. Changes are listed by page and where appropriate by paragraph.

**NOTE TO REVIEWER:**

This Errata has been prepared in response to comments received on the Draft EIR, which was available for public review from September 19, 2002, to November 4, 2002. Additional editorial corrections have been initiated by City staff. These clarifications and modifications are not considered to result in any new or greater impacts than identified in the Draft EIR. To avoid redundancy, it should be assumed that additions, modifications, or deletions of text within Sections 4.1 through 4.9 of the Draft EIR, when applicable, are reflected in Section 1.0, *EXECUTIVE SUMMARY.*

**Page 1-3, EXECUTIVE SUMMARY**

| **4.1 LAND USE/RELEVANT PLANNING** | |
|---|---|
| **LAND USE**<br><br>*The proposed desalination facility is not anticipated to create any impacts to surrounding uses with regards to air quality, noise, aesthetics, hazards and hazardous materials, and short-term construction.* ***Significance: Less than significant.***<br><br>*ABOVEGROUND PRODUCT WATER STORAGE TANK OPTION: Implementation of this option is anticipated to result in similar impacts to those of the proposed project.* | None required. However, refer to mitigation measures contained in ~~Section 4.4 (Air Quality)~~, Section 4.5 (Noise), Section 4.7 (Aesthetics/Light & Glare), ~~Section 4.8 (Hazards and Hazardous Materials)~~, and Section 4.9 (Construction Related Impacts). |

**Page 3-1, ENVIRONMENTAL SETTING**

"…..and would not require modifications to the coastal/marine portions of the existing AES ocean intake/discharge facilities. However, it should be noted that the existing AES intake/discharge facilities traverse land owned by the California State Lands Commission (CSLC), and the land is leased to AES. A lease agreement between the CSLC, AES, and the project applicant will be required prior to project approval."

**Page 3-9, Proposed Buildings and Structures**

"All proposed buildings and structures will comply with state and local standards in regards to fire and structural safety. The proposed desalination project would consist of the following buildings and structures:

- **Administration Building (approximately 158'L x ~~57~~64'W x 1~~5~~8'H, ~~9,900~~10,120 s.f.):** This building is proposed to be Type-II, non-rated (generally defined by the California Building Code as structures incorporating non-combustible materials [steel, iron,

concrete, or masonry] for structural elements, floors, walls, and roofs) and will be constructed of steel. The exterior will feature flat metal wall panels running vertically along the face of the structure. A metal panel roof system will be screened with a metal fascia using deep-ribbed metal panels running horizontally. All glazing will be tinted and will include clear anodized window frames.

- **Reverse Osmosis Building (approximately 29~~2~~3'L x 13~~2~~0'W x 25'H, 38,~~54~~4090 s.f.):** This building will be a Type-II, non-rated, steel-constructed building housing the reverse osmosis components of the desalination plant and associated indoor pumps. The exterior will feature flat metal wall panels running vertically along the face of the structure. A continuous metal reveal band will be placed mid-height to break up the 25-foot structure vertically. A metal panel roof system will be screened with a metal fascia using deep-ribbed metal panels running horizontally. Full height louvers will match the wall panel color and will be recessed slightly from the face of the structure to allow for shadowing. Panel coloring will match the Administration Building.

- **Pretreatment Filter Structure (approximately ~~292~~196'L x ~~144~~195'W x 16'H, ~~42,000~~38,270 s.f.):** This open-air structure will house the pretreatment filter components of the plant. It will feature concrete walls matching the color of the Reverse Osmosis Building. The concrete walls will "stair-step" in elevation to a peak that will be finished with the deep-ribbed metal panels running horizontally. These panels will match the fascia of the Administration and Reverse Osmosis Buildings. A painted band will be included to match the reveal band of the Reverse Osmosis Building.

- **Chemical Storage/Solids Handling Building (approximately ~~90~~170'L x ~~82~~50'W x 21'H, ~~7,300~~7,590 s.f.):** This Type-II, non-rated, steel-constructed building will house the chemical storage and solids handling equipment associated with plant operation. The building will architecturally match the Administration Building, featuring flat metal wall panels running vertically along the face of the structure. The metal panel roof system will be screened with a metal fascia using deep-ribbed metal panels running horizontally.

- **Bulk Chemical Storage Structure (approximately ~~78~~112'L x ~~56~~39'W x 2~~1~~3'H, 4,368 s.f.):** This structure will also feature Type-II, non-rated, canopy steel construction and will house various chemicals stored in bulk. The metal panel roof system will be screened with a metal fascia using deep-ribbed panels running horizontally.

- **Electrical Room/Substation Building (approximately 60'L x 30'W x 12'H, 1,800 s.f.):** This Type-II, non-rated, steel-constructed building will match the Administration Building architecturally. The exterior design utilizes flat metal wall panels running vertically along the face of the structure. The metal panel roof system will be screened with a metal fascia using deep-ribbed metal panels running horizontally.

- **Lime Silos (six tanks approximately 20' in diameter and 25' high, 314 s.f. ):** The lime silo tanks will be arrange in two rows of three tanks each within the northern portion of the subject site in an area approximately 80 feet long by 57 feet wide. These tanks will be ~~constructed of steel and painted to match the surrounding buildings and structures~~ placed within an open air, welded steel structure incorporating aesthetic treatments to enhance the character of the site.

- **Washwater Tank (approximately 45' in diameter by 19' high, 1,590 s.f.):** This single tank will store washwater and will be constructed of steel, painted to match the surrounding buildings and structures. The approximate capacity of this tank would be 200,000 gallons.

- **Flush Tank (approximately 25' in diameter by 29' high, 491 s.f.):** This single tank will store the desalination plant's flush water and would have an approximate capacity of 100,000 gallons. This tank will be constructed of steel and will be painted to match the surrounding buildings and structures.

- **Ammonia Tank (approximately 6' in diameter by 6' high, 28.35 s.f.):** This single tank will store ammonia and will be constructed of high density polyethylene or fiberglass reinforced polyester, and would have an approximate capacity of 1,000 gallons.

- **Above~~Under~~ground Product Water Storage Tank (~~circular option: 250' in diameter and a maximum of 30' deep; rectangular option: 330' L x 175' W x 40' D~~ approximately 215' in diameter and 40' high [30' above grade and 10' below grade]):** The ~~underground~~ aboveground product water storage tank would be ~~either~~ circular ~~or rectangular~~ in shape and would have an approximate capacity of 10 million gallons. ~~The rectangular option would utilize reinforced concrete construction, while the circular option would be pre-stressed and wrapped with galvanized steel.~~ For a detailed discussion of the proposed aboveground ~~underground~~ product water storage tank, refer to page 3-16 of the Draft EIR or Section 4.9, *CONSTRUCTION-RELATED IMPACTS.*"

**Page 3-11, Proposed Desalination Plant Flow Process**

"…..An intake pump station will be located near the pre-treatment filters of the proposed plant to lift the water out of the intake pipeline and into the RO pre-treatment facilities (refer to Exhibit 6, *DESALINATION PROCESS FLOW SCHEMATIC*). The proposed plant would divert approximately 100 mgd of water from the AES condenser cooling water system. It should be noted that the proposed project would utilize pumps circulating a total of 126 mgd. These pumps would operate constantly and would be independent of the AES Generating Station. Should the AES facility cease to operate, the proposed desalination facility would continue produce and distribute potable water. To prevent growth of marine organisms in the intake system, chlorination….."

**Page 3-20, OFF-SITE IMPROVEMENTS**

"…..potential water compatibility impacts that may result from introduction of desalinated seawater into the regional water system).

**Edison Avenue Improvements**

As a condition of approval by the City of Huntington Beach for the proposed project, the applicant will be required to complete improvements along the southern side of Edison Avenue (situated north of the subject site as shown in Exhibit 2 of the Draft EIR, *SITE VICINITY MAP*). These mprovements would consist of the dedication of 12 feet along the frontage of the existing Edison Avenue (for curb, gutter, paving, and street lighting improvements) for a total of approximately 600 linear feet. It should be noted that AES Huntington Beach, LLC would be

responsible for dedication of property to the City for these improvements, as AES owns the entire southern frontage of Edison Avenue and would lease property to the applicant for the proposed project. However, the project applicant would be responsible for completing these roadway and landscaping improvements as a condition of approval for the project subsequent to property dedication. It should also be noted that street widening along Newland Street (west of the proposed project site) would be performed by the City, with separate entitlements and environmental evaluation. AES Huntington Beach, LLC would dedicate the necessary right-of-way along Newland Street and both AES and the project applicant would be required to pay their fair share of the cost.

**Page 3-20, PROJECT NEED AND OBJECTIVES**

"…..Although the region has made a significant financial investment in the imported water system and the system has met all of the region's supplemental water supply needs (~~except in times of extreme drought~~ with the exception of a one year period from March 1991 to March 1992), there is a present concern regarding the amount of water….."

**Page 3-21, PROJECT NEED AND OBJECTIVES**

"…..Solutions to potential water shortage and reliability problems include water management programs on imported water systems as well as an increased reliance on many different sources of water supply and a continued emphasis on water conservation through implementation of State-approved Best Management Practices (BMP's). Orange County has implemented several successful programs including ultra low flow toilet and low flow shower head programs, conservation based rate structure programs, landscape conservation programs and commercial, industrial and institutional conservation programs. However, according to the Orange County Water District Master Plan Report (Section 5.6.2), potential conservation savings will be limited to no more than 30,000 to 60,000 acre feet per year. This amount is hardly sufficient to offset ~~potential losses in imported supplies~~ anticipated water shortages due to increases in population and economic activity.

Water recycling (reclamation of wastewater to produce water that is safe and acceptable for various non-potable uses, but not approved for drinking and other domestic uses) is a technology that has provided a valuable source of water supply for Southern California. Southern California (and Orange County in particular) leads the way in producing recycled water to offset potable water demands. In 1996 the major imported water supplier in the region, MWD, adopted its so-called "Southern California's Integrated Water Resources Plan" (IRP) representing a dramatic shift in water management and resource planning for the region. The IRP identified 80 different local recycling projects producing over 150,000 acre feet per year of water supply available to the region. Depending upon technological advancements and economic constraints, the IRP projected that as much as 800,000 acre feet of recycled water could be made available to the region by 2020. Recycled water projects will certainly be relied upon to ~~replace the future reductions in imported water supplies and to~~ meet the demands of projected growth in the region. However, recycled water has not been approved for drinking or for other potable uses.

Desalinated seawater can be made directly available for drinking and other potable uses. Consequently, seawater desalination was also one of several ~~integrated sources of supply~~ potential resource options identified in the IRP. The IRP also recommended that groundwater recovery projects, storage projects, water recycling projects, water transfer projects and water conservation projects be included in the "resource mix". The IRP ~~predicts~~ states that, ~~"about~~

~~200,000 acre-feet per year (of desalinated ocean water) could be developed by 2010"~~ based on feasibility studies on potential projects, about 200,000 acre-feet per year (of desalinated ocean water) could be developed by 2010 (p. 3-12). The proposed Poseidon Seawater Desalination Project represents an opportunity to develop approximately 56,000 acre-feet per year, or approximately one fourth of ~~that project supply need~~ the potential for seawater desalination development identified by the 1996 IRP."

**Page 3-22, PROJECT NEED AND OBJECTIVES**

".....and environmental impacts to biological resources. In general, anticipated statewide shortages can be expected to translate to equivalent local and regional shortages, with similar economic and environmental effects. Senate Bill (SB) 221 and SB 610 require demonstration of water supply reliability prior to development."

**Page 3-25, AGREEMENTS, PERMITS, AND APPROVALS REQUIRED**

".....The following agreements, permits, and approvals are anticipated to be necessary:

| Approval/Permit, Permits to Operate | Agency |
|---|---|
| Final EIR Certification | City of Huntington Beach |
| Conditional Use Permit | City of Huntington Beach |
| Coastal Development Permit[1] | City of Huntington Beach |
| Franchise Agreement | City of Huntington Beach |
| ~~Drinking~~ Domestic Water Supply Permit | State of California Department of Health Services |
| Coastal Development Permit[2] | California Coastal Commission (CCC) |
| NPDES Permit | Santa Ana Regional Water Quality Control Board |
| Permit to Operate | South Coast Air Quality Management District |
| Encroachment Permits | U.S. Army Corps of Engineers (Santa Ana River Crossing)<br>Caltrans, District 12 (SR-55 undercrossing)<br>County of Orange (channel crossings, pump station)<br>City of Huntington Beach (product water pipeline)<br>City of Costa Mesa (product water pipeline)<br>Mesa Consolidated Water District (product water pipeline)<br>Metropolitan Water District of Southern California (product water pipeline) |
| Institutional Agreements | Various cities, agencies, and regional water purveyors. |
| Lease Agreement | California State Lands Commission |
| Industrial Source Control Permit | Orange County Sanitation District |

[1] The City's Coastal Development Permit approval may be appealed to the California Coastal Commission.

[2] A CDP is required directly from the CCC for the ocean discharge.

**Page 4.1-9, RELEVANT PLANNING**

"…..Policy HM 1.4.4 (Page V-HM-8): "Require that owners of contaminated sites develop a remediation plan with the assistance of the Orange County Environmental Management Agency (EMA).

**Southeast Coastal Redevelopment Plan**

The proposed project site is located within the Southeast Coastal Redevelopment Plan area. This redevelopment plan became effective in August of 2002, with the associated Program EIR certified in June of 2002. As adoption of the Southeast Coastal Redevelopment Plan did not change any General Plan or zoning designations within the redevelopment area (including the proposed desalination facility site), the proposed Poseidon Seawater Desalination Project will be consistent with the Southeast Coastal Redevelopment Plan, General Plan, and zoning. As a result of this redevelopment plan, the proposed desalination project may be eligible to receive tax increment funding from the redevelopment area for use in developing infrastructure/aesthetic improvements and hazardous materials remediation (in accordance with the goals contained within the redevelopment plan)."

**Page 4.1-10, RELEVANT PLANNING**

"…..As such, the proposed desalination facility's ocean discharge will require separate review and approval by the California Coastal Commission of a Coastal Development Permit.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONAL COMPREHENSIVE PLAN AND GUIDE

Growth Management Chapter

- 3.03: The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.
- 3.18: Encourage planned development in locations least likely to cause adverse environmental impacts.
- 3.21: Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.
- 3.22: Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.
- 3.23: Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.

Air Quality Chapter

- 5.11: Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts."

**Page 4.1-11, RELEVANT PLANNING**

"The project evaluated within this EIR proposes to implement a 50 mgd desalination plant within an industrial area. Project implementation would be consistent with the City of Huntington Beach General Plan, Local Coastal Program, ~~and~~ Zoning and Subdivision Ordinance, and SCAG Regional Comprehensive Plan and Guide (RCPG). During the "design development" stage, the Applicant….."

**Page 4.3-11, Impacts on Source Water from the OCSD Outfall**

"…..The OCSD discharges up to 480 mgd of wastewater that has received primary treatment and some secondary treatment at an outfall that is located approximately five miles offshore at a depth of 195 feet. It should be noted that OCSD has committed to provide secondary treatment for 100 percent of all effluent it receives. The development of facilities to provide this additional secondary treatment could take up to 11 years to plan, design, construct, and commission. A more detailed implementation plan is being developed by the District and will be completed in early 2003.

In addition, on August 12, 2002, the OCSD began disinfecting its wastewater per Regional Water Quality Control Board (RWQCB) requirements. The OCSD is presently adding bleach as a disinfectant followed by sodium bisulfite to remove residual prior to ocean discharge, and will continue to do so for the next three to five years. Testing and studies are underway to evaluate other disinfection technologies, including ultraviolet light, ozone, and peracetic acid for long-term application.

The OCSD wastewater discharge would have the greatest potential to impact water quality at the AES intake with summer El Nino conditions when currents are flowing northwest towards the AES facility. In addition, for "worst case" conditions, the model assumed that OCSD was discharging at its maximum allowable rate of 480 mgd and that the temperature conditions in the ocean would allow the wastewater plume to be near the depth of the AES intake.

The model showed that under these extreme conditions, the OCSD discharge would be diluted 10 million to one at the AES intake and would not affect water quality at the intake. This dilution would be further increased in consideration of OCSD's proposed secondary treatment process and current disinfection process, which were not accounted for within modeling in this Draft EIR. Impacts in this regard are anticipated to be less than significant."

**Page 4.3-19, Water Quality Impacts to Marine Biological Resources**

The "first flush" treated waste cleaning solution from the washwater tank will be discharged into the local sanitary sewer for further treatment at the Orange County Sanitation District (OCSD) regional wastewater treatment facility. The cleaning flush water following the "first flush" will be mixed with the RO plant brine concentrate, treated waste filter backwash, and the AES plant discharge and sent to the ocean. This "second flush" water stream will contain trace amounts of

cleaning compounds and would be below detection limits for hazardous waste. An Industrial Source Control Permit from the OCSD for discharge of waste cleaning solution into the sanitary sewer system will be required for the project. In addition, the discharge must comply with the limits and requirements contained in the OCSD's Wastewater Discharge Regulations. Impacts to the local marine environment in this regard would be less than significant.

**Page 4.6-3, Roadway Maintenance**

"The City of Huntington Beach Public Works Department provides roadway maintenance to the City of Huntington Beach. The Department performs regular maintenance on City owned roadways in the form of re-paving, pothole/curb repairs, and striping, as well as roadway widenings, expansions, and improvements. It should be noted that the City of Huntington Beach Public Works Department has ~~recently conditioned Newland Street (located west of the subject site) to be improved as a result of ongoing renovations to the AES Huntington Beach Generating Station. In addition, should the underground or the aboveground "North" product water storage tank option be selected, Edison Avenue, located north of the project site, will need to be improved with curb, gutter, sidewalk, street lighting, and paving~~ conditioned the widening of both Newland Street (located west of the subject site) and Edison Avenue (situated north of the subject site). The applicant would be required to complete improvements along the southern side of Edison Avenue as a condition of approval for the project, while the City would be responsible for improvements along Newland Street with the applicant responsible for paying their fair share. For more information refer to the "Impacts" section below."

**Page 4.6-4, Storm Water Drainage**

"…..The OCFCD and the City of Huntington Beach Public Works Department operate the storm water drainage system within the City of Huntington Beach. The storm drainage system removes water runoff from streets, and~~, after filtration,~~ transports the runoff to the ocean. The OCFCD owns, operates, maintains, and improves regional flood control facilities. The City of Huntington Beach owns and operates 1~~4~~5 storm drainage channel pumping stations which pump the runoff water into the channels and to the ocean. No runoff from the project site….."

**Page 4.6-5, Reclaimed Water**

"…..The City of Huntington Beach ~~is currently participating~~ participated in the Green Acres project (GAP) in association with the OCSD and the Orange County Water District (OCWD). The OCSD produces secondary treated water for the OCWD, where the water is treated once again and distributed for potential industrial use and landscape irrigation ~~in~~ for the Cities of Fountain Valley, Santa Ana, Costa Mesa, Newport Beach, and Huntington Beach. ~~In addition, the City of Huntington Beach also plans to implement the Groundwater Replenishment System (GWRS).~~ The GWRS is a major ~~new~~ reclamation project currently being developed by the OCSD and OCWD. This project could increase the City's use of reclaimed water to 400 afy. At the present time, no conveyance facilities are available at or near the subject site, and it is not anticipated that the proposed desalination project will require the use of reclaimed water."

**Page 4.6-8, Roadway Maintenance**

"As previously stated, both Newland Street and Edison Avenue have ~~has recently~~ been conditioned to be improved~~, and, should the underground or aboveground "North" product water storage tank option be selected, Edison Avenue will require curb, gutter, sidewalk, street lighting, and paving improvements.~~ by the City of Huntington Beach Department of Public

Works. As a condition of approval by the City of Huntington Beach for the proposed project, the applicant will be required to complete improvements along the southern side of Edison Avenue (situated north of the subject site as shown in Exhibit 2 of the Draft EIR, *SITE VICINITY MAP*). These improvements would consist of the dedication of 12 feet along the frontage of the existing Edison Avenue (for curb, gutter, paving, and street lighting improvements) for a total of approximately 600 linear feet. It should be noted that AES Huntington Beach, LLC would be responsible for dedication of property to the City for these improvements, as AES owns the entire southern frontage of Edison Avenue and would lease property to the applicant for the proposed project. However, the project applicant would be responsible for completing these roadway and landscaping improvements as a condition of approval for the project subsequent to property dedication. It should also be noted that street widening along Newland Street (west of the proposed project site) would be performed by the City, with separate entitlements and environmental evaluation. AES Huntington Beach, LLC would dedicate the necessary right-of-way along Newland Street and both AES and the project applicant would be required to pay their fair share of the cost. In addition, traffic impact fees as determined by the City of Huntington Beach will be collected upon project implementation in order to offset any costs incurred for roadway widenings and intersection capacity improvements.[3] Impacts in this regard are anticipated to be less than significant.

**Page 4.6-9, Wastewater**

"…..eight-inch sewer conveyance pipeline leading off-site to the existing 48-inch OCSD sewer pipeline located within Newland Avenue or a 54-inch OCSD line within Pacific Coast Highway. OCSD has also indicated that the pH and flowrate of the washwater tank discharge would be acceptable, contingent upon the acquisition of a Sewer Connection Permit from the City of Huntington Beach and an Industrial ~~Waste Discharge~~ Source Control Permit from the OCSD. It should be noted that the County of Orange's….."

**Page 4.6-17, Hydraulics**

"…..However, the hydraulic characteristics of the OC-44 Pipeline may be affected in one of two ways, depending on whether the pipeline segment in question is east or west of the proposed Poseidon/OC-44 connection point. West of the proposed Poseidon/OC-44 connection point, the flow rate and flow direction would remain unchanged, while a change in water pressure would be negligible (a change of less than five pounds per square inch). East of the proposed connection point, the direction of flow would be reversed, the flow rate would increase, and water pressure would decrease. It is anticipated that maximum flow velocity through this portion of the pipeline would be 7.5 feet per second (fps). All flow rate, pressure, and velocity changes which may occur in the existing pipelines are within pipeline design specifications. It should be noted that the OC-44 connection is operated by a Joint Powers Authority (with Mesa Consolidated Water District as the approving agency). The applicant will obtain appropriate approvals from the Mesa Consolidated Water District prior to project operation in order to ensure that impacts to the OC-44 do not adversely impact the Joint Powers Authority. In addition, the proposed project would not inhibit the City of Huntington Beach's ability to operate the OC-44 from zero to 13 cubic feet per second (CFS) without restriction or need for notification."

[3] Letter, Mr. Todd Broussard, City of Huntington Beach Public Works Department, July 16, 2001.

**Page 4.6-18, Reclaimed Water**

"The City of Huntington Beach is not currently ~~utilizes~~ utilizing ~~limited amounts of~~ reclaimed water, although the City ~~is planning to expand its use of reclaimed water~~ may in the future through the Green Acres Project and Groundwater Replenishment System. The proposed project is not anticipated to require the use of reclaimed water or installation of reclaimed water facilities, as the project itself will be a new reclamation source. Impacts in this regard are not anticipated to be significant.

**Page 4.6-21, MITIGATION MEASURES**

"PSU-1 Prior to the issuance of building permits, ~~the Applicant will be required to pay a commercial fee of $0.1287 per square foot for non-residential development~~ the applicant will be required to pay applicable school mitigation fees pursuant to State law."

**Page 4.9-19, BIOLOGICAL RESOURCES**

"…..not anticipated to be significant (refer to Appendix L, *BOOSTER PUMP STATION BIOLOGICAL CONSTRAINTS* SURVEY, for additional information). It should also be noted that any displaced vegetation would be replaced.

In addition, implementation of the proposed project may result in impacts to waterways due to "frac-outs" potentially occurring during pipeline construction. "Frac-outs" occur when drilling fluids (usually bentonite) seep to the surface via cracks in the ground. Prior to the performance of any directional boring, the applicant will prepare a Frac-Out Contingency Plan. The plan will establish criteria under which a bore would be shut down (e.g., loss of pressure, loss of a certain amount of returns) and the number of times a single bore should be allowed to frac-out before the bore is shut down and reevaluated. It will also clearly state what measures will be taken to seal previous frac-outs that have occurred on a given bore to ensure that it does not become the path of least resistance for subsequent frac-outs. Additionally, the site-specific Frac-Out Contingency Plan will be prepared and reviewed by the City Engineer and appropriate resource agencies prior to each major bore."

**Page 4.9-28, MITIGATION MEASURES**

"…..of the roadway using appropriate construction signage and flagmen, or submit a detour plan for approval by the City Traffic Engineer.

- The Traffic Management Plan shall be approved by affected agencies at least two weeks prior to construction. Per Caltrans requirements, the applicant shall submit the Traffic Management Plan to Caltrans at the 90-percent design phase;"

**Page 4.9-30, MITIGATION MEASURES**

"…..restrictions on construction activities may be required in the vicinity of the nest until the nest is no longer active.

CON-40 Prior to the commencement of any directional boring for water conveyance pipeline implementation, the applicant shall prepare a Frac-Out Contingency

Plan. The plan shall establish criteria under which a bore would be shut down (e.g., loss of pressure, loss of a certain amount of returns) and the number of times a single bore should be allowed to frac-out before the bore is shut down and reevaluated. It will also clearly state what measures will be taken to seal previous frac-outs that have occurred on a given bore to ensure that it does not become the path of least resistance for subsequent frac-outs. Additionally, the site-specific Frac-Out Contingency Plan will be prepared and reviewed by the City Engineer and appropriate resource agencies prior to each major bore.

CON-41 In order to minimize potential construction impacts to nesting savannah sparrows adjacent to the proposed desalination facility, a pre-construction nesting survey will be performed by a qualified biologist in consultation with applicable regulatory agencies. Should nesting savannah sparrows be found, adequate mitigation (such as relocation, construction noise abatement measures, etc.) will be implemented as appropriate based on the findings of the pre-construction survey.

CON-42 All focused surveys for sensitive biological resources performed prior to proposed project implementation shall include a review of data within the California Natural Diversity Data Base (CNDDB) to obtain current information on any previously reported sensitive species/habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.

CON-43 Prior to implementation of the proposed off-site booster pump station adjacent to the NCCP/HCP boundary, a jurisdictional delineation of the proposed pump station site shall be performed to determine the extent of jurisdictional area, if any, as part of the regulatory permitting process.

**CULTURAL RESOURCES**

CON-~~40~~4 Should buried historical/archaeological resources be discovered during excavation on the proposed booster pump station site, all construction work in that area shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.

CON-~~41~~5 During excavation of five feet below ground surface or lower on the proposed booster pump station site, a paleontological resource recovery program for Miocene invertebrate fossils shall be implemented. This program shall include, but will not be limited to, the following:

- ❖ Monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor. The monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must me empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units described herein are not encountered, or upon exposure are determined following examination by qualified paleontologic personnel to have low potential to contain fossil resources;

- Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates;
- Identification and curation of specimens into a museum repository with permanent retrievable storage. The paleontologist should have a written respository agreement in hand prior to the initiation of mitigation activities; and
- Preparation of a report of findings with appended itemized inventory of specimens. The report and inventory, when submitted to the appropriate Lead Agency, would signify completion of the program to mitigate impacts to paleontologic resources."

**Page 5-7, Geographic Scope of Cumulative Impact Assessment**

"…..As discussed in Section 5.2, *GROWTH INDUCING IMPACTS*, the project may facilitate new development in ~~south~~ Orange County and the South Coast Region."

**Appendix E, Watershed Sanitary Survey, Page E-41, Wastewater Collection, Treatment, and Discharges**

Refer to Responses 17b and 17c of the Responses to Comments, above.